

IN RE: PETITION FOR VARIANCE
W/S Reisterstown Road, 100'
from SWC Sudbrook Lane
3rd Election District
2nd Councilmanic District
(1110 Reisterstown Road)

GRSG, LLC
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 99-509-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for variance filed by the legal owner of the subject property, GRSG, LLC, by and through Stanley Ginsburg, its member. The Petitioner is requesting a variance for property they own at 1110 Reisterstown Road, which property is zoned BL-AS. The variance request is from Section 409.6A.2 of the Baltimore County Zoning Regulations (BCZR) to allow 22 parking spaces in lieu of the required 30 parking spaces, and from Section 232.1 and the Permits and Development Management Policy Manual to allow a 1.5 foot setback from a street right of way of Derisio Lane in lieu of the 10 feet required, and to allow a drive aisle width of 14 feet in lieu of the required 22 feet.

Appearing at the hearing on behalf of the variance request were: Stanley Ginsburg on behalf of the owner of the property, Michael Ertel and Arthur Adler, attorney at law, representing the Petitioner. There were no protestants in attendance.

Testimony and evidence indicated that the property, which is the subject of this variance request, consists of 0.41 acres, more or less, split zoned BL-AS and D.R.5.5. The subject property is currently improved with a one story commercial building situated on Reisterstown Road in the Pikesville area of Baltimore County. The property owner is desirous of constructing a one-story addition with a mezzanine to the rear of the existing building. The proposed addition and existing building are more particularly shown on Petitioner's Exhibit No. 1, the site plan of the property. In order to proceed with the construction of the addition, the requested variances are necessary.

ORDER RECEIVED FOR FILING

Date 8/5/99

By R. Gensler

Furthermore, testimony indicated that Baltimore County recently acquired a right of way to install Derisio Lane to the rear of the proposed addition. Derisio Lane will be a County road and was acquired by Baltimore County to provide access to the many merchants along Reisterstown Road in this area of Baltimore County. Derisio Lane bifurcates the parking lot which is owned by the Petitioner. As a result of the County's taking, the required drive aisle width is not provided for the 22 parking spaces located to the rear of this business. Therefore, as a result of the County's taking, a variance request becomes necessary.

Testimony indicated that Mr. Ginsburg operates a business known as Floors, Etc., which has been in business for over 100 years. Mr. Ginsburg has been at this location for the past 12 years and purchased the subject property last year. His business is a family business which has served the citizens of Pikesville and Baltimore County for many decades. The expansion is necessary due to the growing needs of his business.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973).

To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. Of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the property which is the subject

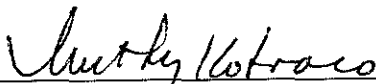
ORDER RECEIVED FOR FILING
DATE 8/5/09
BY R. J. [Signature]

of this request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and after considering the testimony and evidence offered by the Petitioner, I find that the Petitioner's variance request should be granted.

THEREFORE, IT IS ORDERED this 5th day of August, 1999, by this Deputy Zoning Commissioner, that the Petitioner's request for variance from Section 409.6A.2 of the Baltimore County Zoning Regulations (BCZR) to allow 22 parking spaces in lieu of the required 30 parking spaces, and from Section 232.1 and the Permits and Development Management Policy Manual to allow a 1.5 foot setback from a street right of way of Derisio Lane in lieu of the 10 feet required, and to allow a drive aisle width of 14 feet in lieu of the required 22 feet, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioner may apply for the building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

ORDER RECEIVED FOR FILING
Date 8/5/99
By R. Gyneson



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 6, 1999

Arthur Adler, Esquire
100 Painters Mill Road, Suite 900
Owings Mills, Maryland 21117

Re: Petition for Variance
Case No. 99-509-A
Property: 1110 Reisterstown Road

Dear Mr. Adler:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

c: Mr. Stanley Ginsburg
1110 Reisterstown Road
Pikesville, Maryland 21208

Mr. Michael J. Ertel
5317 East Glen Road
Ellicott City, Maryland 21043

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1110 REISTERSTOWN RD

which is presently zoned BL-AS

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

409.3A.2. TO ALLOW 22 PARKING SPACES IN LIEU OF THE REQUIRED 30 PARKING SPACES
AND SECTION 232.1 AND THE PDM POLICY MANUAL TO ALLOW A 1.5' SETBACK
FROM THE RIGHT OF WAY OF DERISIO LANE IN LIEU OF THE 10' REQUIRED.

of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

ACQUISITION OF A SUBSTANTIAL PORTION OF EXISTING PARKING LOT BY BALTIMORE COUNTY
FOR EXTENSION OF SIDE LANE HAS REDUCED THE NUMBER OF PARKING SPACES AVAILABLE FOR
THE ANTICIPATED SECOND LEVEL EXPANSION OF THE APPLICANT'S COMMERCIAL BUILDING.
THIS "TAKING" BY THE COUNTY HAS CAUSED APPLICANT BOTH UNDUE HARDSHIP AND PRACTICAL
DIFFICULTY WHICH WAS NOT THE RESULT OF THE APPLICANT'S OWN ACTIONS. THE SIGN
AND PARKING IN A RESIDENTIAL ZONE WAS PREVIOUSLY GRANTED IN ZONING CASE [unclear]

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

GRSG, LLC

Name - Type or Print

Signature

9% STANLEY GINSBURG

Name - Type or Print

MEMBER

Signature

1110 REISTERSTOWN RD 410-484-4123

Address

PIKESVILLE

MD.

Telephone No.

21203

City

State

Zip Code

Representative to be Contacted:

MICHAEL J. ERTE - M.J. CONSULTING

Name

5317 EAST GLEN RD

410-465-9579

Address

ELLCOTT CITY MD.

Telephone No.

21043

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By [Signature]

Date 6-16-99

Case No. 99-509A

REV 9/15/98

ORIGINAL RECEIVED FOR FILING
 8/5/99
 1 Date

March 22, 1999

Description of 1110 Reisterstown Road to accompany Petition for Special Hearing and Variance. Property shown as parcels 102 and 795 on tax map 78.

Parcel 102

Beginning for the same at a point on the west side of Reisterstown Road (Md. Rte. 140, 66' R/W) 100' from the southwest corner of the intersection of Reisterstown Road and Sudbrook Lane (60' R/W).

Thence running with and binding on the west side of Reisterstown Road,

(1) South 28 degrees 10 minutes East 64.3 feet;

thence leaving the west side of Reisterstown Road,

(2) South 61 degrees 38 minutes West 163.8 feet;

thence binding on the east side of a 40 foot Baltimore County R/W as shown on plat 96-253 R/W

(3) N 32 degrees 05 minutes 04 seconds W 3.18 feet;

thence with a curve to the left

(4) R=1020.00 feet L=41.29 feet;

(5) N 34 degrees 24 minutes 13 seconds W 19.88 feet;

thence leaving the east side of the 40 foot R/W,

(6) N 61 degrees 38 feet E 163.12 feet;

to the point of beginning, containing 0.41 acres more or less.

Parcel 795

Beginning for the same at a point on the south side of Sudbrook Lane { 60' R/W }, 217 feet from the southwest corner of the intersection of Reisterstown Road (Md. Rt. 140, 66' R/W).

Thence running with and binding on the west side of a 40' Baltimore County R/W as shown on plat 96-253 R/W,

(1) S 05 degrees 50 minutes 41 seconds E 14.04 feet;

thence with a curve to the right,

(2) R=431.99 feet L=18.37 feet;

(3) S 34 degrees 24 minutes 13 seconds E 91.56 feet;

509
99.509-A

Description, 1110 Reisterstown Rd.
March 22, 1999
Page No. 2

thence with a curve to the right,
(4) R=980.00 feet L=39.67 feet;

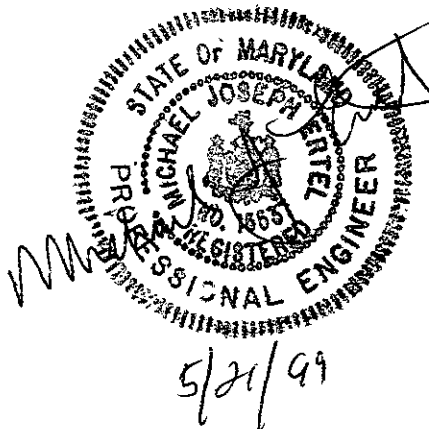
(5) S 32 degrees 05 minutes 04 seconds E 54.92 feet;

Thence leaving the west side of the 40 foot R/W,
(6) S 55 degrees 35 minutes 47 seconds W 35.64 feet;

(7) N 34 degrees 04 minutes 13 seconds W 214.48 feet;

(8) N 55 degrees 38 minutes 47 seconds E 21.52 feet

to the place of beginning, containing 0.17 acres more or less.



This description for Zoning purposes only.

**NOTICE OF ZONING
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-509-A
1110 Reisterstown Road
W/S Reisterstown Road, 100'
from SWC Sudbrook Lane
3rd Election District
2nd Councilmanic District
Legal Owner(s): GRSG, LLC

Variance: to allow 22 parking spaces in lieu of the required 30 parking spaces; and to allow a 1.5 (+/-) foot setback from the right of way of Derisio Lane in lieu of the 10 feet required.

Hearing: Wednesday, August 4, 1999 at 9:00 a.m. in Room 106, County Office Bldg., 111 West Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT 7/604 July 20 C326900

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/22/, 1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 7/20/, 1999.

THE JEFFERSONIAN.

J. Wilkinson

LEGAL ADVERTISING

BALTIMORE COUNTY, MARYLAND 509
 OFFICE OF BUDGET & FINANCE
 MISCELLANEOUS RECEIPT

No. 069889

DATE 6-16-99 ACCOUNT Fee 1-6150

AMOUNT \$ 250.00

RECEIVED S. Ginsburg 1110 Reserves

FROM: (020) VAR

DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER JCM

99-509-A

PAID RECEIPT

PROCESS ACTUAL TIME
 6/17/1999 6/16/1999 14:25:50
 REG MS02 CASHIER LSN LXS DRAWER 2
 Dept 5 529 ZONING VERIFICATION
 Receipt # 096650
 CR NO. 069889

Receipt Tot 250.00
 250.00 CR
 Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: CASE # 99-509-A
PETITIONER/DEVELOPER:
[CRSG, LLC]
DATE OF Hearing
[Aug. 4, 1999]

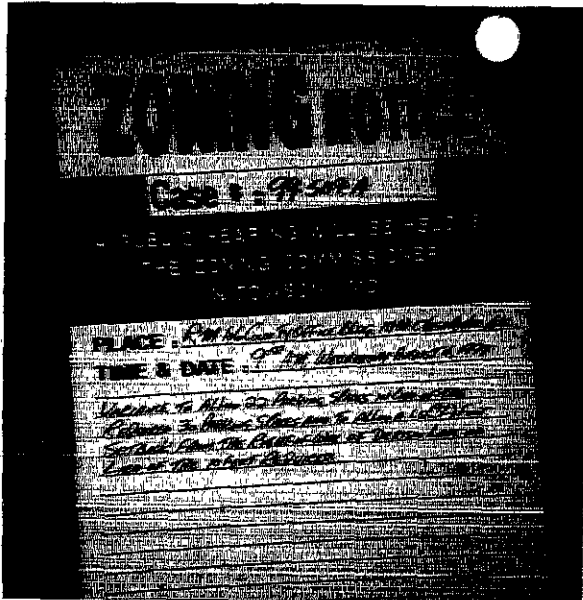
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
1110 Reisterstown Road Baltimore , Maryland 21208_____

The sign(s) were posted on _____ 7-19-99 _____
[Month, Day, Year]



Sincerely,

Thomas P. Ogle, Sr.
[Signature of Sign Poster & Date]

_____ Thomas P. Ogle, Sr. _____

_____ 325 Nicholson Road _____

_____ Baltimore, Maryland 21221 _____

_____ (410)-687-8405 _____
[Telephone Number]

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 509
Petitioner: STANLEY GINSBURG for GRSG, LLC.
Address or Location: 1110 REISTERSTOWN RD.

PLEASE FORWARD ADVERTISING BILL TO:

Name: FLOORS ETC % STANLEY GINSBURG
Address: 1110 REISTERSTOWN RD
BALTIMORE MARYLAND 21208
Telephone Number: 410-484-4123

Revised 2/20/98 - SCJ

99.509-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 12, 1999

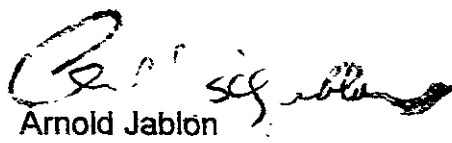
NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-509-A
1110 Reisterstown Road
W/S Reisterstown Road, 100' from SWC Sudbrook Lane
3rd Election District – 2nd Councilmanic District
Legal Owner: GRSG, LLC

Variance to allow 22 parking spaces in lieu of the required 30 parking spaces; and to allow a 1.5 (+/-) foot setback from the right-of-way of Derisio Lane in lieu of the 10 feet required.

HEARING: Wednesday, August 4, 1999 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue



Arnold Jablon
Director

c: GRSC, LLC
MJ Consulting

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY JULY 20, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY
Tuesday, July 20, 1999 Issue – Jeffersonian

Please forward billing to:

Floors, Etc.

410-484-4123

c/o Stanley Ginsburg

1110 Reisterstown Road

Baltimore, MD 21208

NOTICE OF ZONING HEARING

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CASE NUMBER: 99-509-A

1110 Reisterstown Road

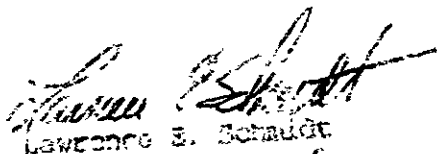
W/S Reisterstown Road, 100' from SWC Sudbrook Lane

3rd Election District – 2nd Councilmanic District

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HEARING: Wednesday, August 4, 1999 at 9:00 a.m. in Room 106, County Office Building, 111 West Chesapeake Avenue



LAWRENCE E. SCHMIDT

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 30, 1999

Stanley Ginsburg, Member
GRSC, LLC
1110 Reisterstown Road
Pikesville, MD 21208

Dear Mr. Ginsburg:

RE: Case Number 99-509-A, 1110 Reisterstown Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 16, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on the case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:scj

Enclosures

C: MJ Consulting

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BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: July 13, 1999

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for July 12, 1999
Item Nos. 501, 502, 503, 504, 505,
507, 508, 509, 510, 511, 512, 513,
514, 516, 518, 519, 520, 521, 522,
523, 524,

and

Case Number 99-477-SPHA
Windsor Commons

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:jrb

cc: File

June
8/4

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 13, 1999

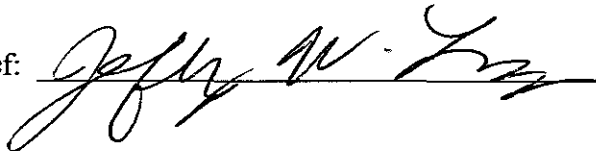
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition(s):
Item No(s): 509 and 517

If there should be any questions or this office can provide additional information, please
contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

August 10, 1999

Arnold J. Jolly, Director
Joint Administration and Development Management
Baltimore County Office Building
Towson, MD 21284
MAIL RT 1-1113

RE: PROJECTS (WHICH SEE ITEM NUMBERS) BELOW

Location: DISTRIBUTION MEETING OF JULY 6, 1999

Item No.: 506, 509, 517, 521, AND 522 Zoning Agenda:

Gentlemen:

Pursuant to your request, the proposed property has been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

1. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
2. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT A. SAUERWALD

Fire Marshal Office, PHONE 897-4691, MS-11 LF

cc: File

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on Recycled Paper

RE: PETITION FOR VARIANCE
1110 Reisterstown Road, W/S Reisterstown Rd,
100' from SWC Sudbrook Ln
3rd Election District, 2nd Councilmanic

Legal Owner: GRSG, LLC
Petitioner(s)

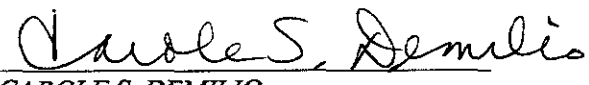
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 99-509-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of July, 1999 a copy of the foregoing Entry of Appearance was mailed to Michael J. Ertel, M.J. Consulting, 5317 East Glen Road, Ellicott City, MD 21043, representative for Petitioners.


PETER MAX ZIMMERMAN

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: June 16, 1999

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner II
Zoning Review, PDM

SUBJECT: Case Number 99-509-A
1110 Reisterstown Road

1. Applicant advised that corporation required to be represented by an attorney at the hearing
2. Advised to check previous hearing on this property to assess the need for special hearing for possible amendment

JCM:scj

**Baltimore County Government
Department of Economic Development**




400 Washington Avenue
Towson, MD 21204

(410) 887-8000
Fax (410) 887-8017

MEMORANDUM

To: Arnold Jablon
Director, Baltimore County Department of Permits and
Development Management

Date: July 12, 1999

From: Salem Reiner 
Revitalization Specialist

Re: Variance Request, 1110 Reisterstown Road (Floors Etc.)
Number: 509

The Department of Economic Development would like to express its support for the requested zoning variance for the above noted property. The Variance is necessary to accommodate the construction of a new 6,423 square foot addition to this important retail establishment and to address a deficiency in the number of requested parking spaces. Specifically, the variance request will enable the number of parking spaces to be reduced from the required number of 30 to 22 spaces, and permit a setback of approximately 1.5 feet from the right-of-way of DeRisio Lane instead of the required 10 feet.

The lack of parking on site is not anticipated to be a problem. The owner of the subject property has an agreement with the owner of a parking lot located directly adjacent to the subject property. The adjacent parking area comprises 8,500 square feet and has the capacity to consistently provide adequate parking to address the deficiency. In addition, metered parking is available on Reisterstown Road from the 1100 block (Waldron Avenue) to the 1300 block (Church Lane) providing 39 spaces, and at the Revenue Authority lot at Sherwood Avenue with 35 spaces. Further, the rear of the entire block consists of a series of virtually uninterrupted parking areas that are generally underutilized. The subject property is located in the middle of this block. While these lots are private, the area merchants and property owners have an informal cooperative understanding that permits shoppers to utilize the various lots. It is also worthwhile to note that a substantial section of the parking area for the subject property was acquired by the County for the construction of DeRisio Lane, thereby reducing the number of parking spaces.

The subject property is located within the Pikesville Commercial Revitalization District, an area targeted by the County to receive assistance to promote economic development. Floors Etc. attracts customers from throughout the region, thereby playing an important role in the viability of Pikesville. The County is providing loans to assist with the construction of a new addition, which is necessary for the business to remain competitive. The design requirements of the addition necessitate the need for a reduced setback from the right-of-way of DeRisio Lane. An eight-foot buffer on DeRisio Lane comprised of a five-foot wide sidewalk and a three-foot wide planted area will mitigate the impact of the requested variance.

By permitting the variances, the community and the County will realize a variety of benefits, including:

- strengthening the economic base of the community;
- improving the physical appearance of an important commercial area;
- enhancing the impact of the forthcoming streetscape improvement project;
- attracting significant private investment;
- creating accessible employment opportunities for local residents; and
- generating new income and property tax revenue for the County.

Thank you for your attention to this important matter. If you have any questions, please call me at extension 8011.

CC. S. Ginsberg ✓
M. Ertel
S. Jacobs

Phone 410-465-9579
Fax 410-465-9585
Email cathyertel@aol.com

June 01, 1999

Baltimore County Department of Permits &
Development Management
Developers Engineering
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn. Mr. Robert A. Bowling

Re: Public Works Variance
"Floors Etc." #1110 Reisterstown Rd.
Building Addition

Dear Mr. Bowling,

We are hereby requesting a variance to Public Works standards to allow a parking lot to be used with less than the required maneuvering space.

The existing parking area as shown on the enclosed plan will be modified when Baltimore County constructs the proposed DeRisio Lane under contract 98-333RXO. About half of the existing parking spaces will be lost. In order to construct the proposed addition we are required to apply for a zoning variance for the number of parking spaces. Due to the right of way taking we are also required to ask for a Public Works variance.

Since both the zoning variance and the variance requested herein are not a result of the owners own actions, and the parking lot will not create an unsafe condition, we hereby respectfully request your approval.

If you have any questions or require any additional information please call me at the above number.

Sincerely,

Michael J. Ertel PE

509

cc. Mr. Stanley Ginsburg
Mr. Ellwood Sinsky
Zoning Office File ✓

99-509-A

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Arthur Adams

100 Peckham Mill Rd Suite 900
Owings Mills, MD 21112

Stanley Ginsburg
MICHAEL J. ERTZ

1110 Reisterstown Rd
BALTIMORE MD 21208

5317 EAST GLEN RD.
ELLICOTT CITY MD. 21043





7 Church Lane
Pikesville, MD 21208
484-2337

EXECUTIVE BOARD MEETING

TUESDAY, FEBRUARY 16, 1999

RECEIVED

FEB 17 1999

Pet Ex 3

Present: Libby Berman, Barry Blank, Sheldon Caplan, Chas Ezrine, Nancy Garfinkel, Michael Greenebaum, Adele Kass, Denise Mersinger, Gabe Rosenbush, Gail Rubenstein, Sharon Thomas and Gary Van Hoven.

Absent: Dick Aarons, Nick Attias, Jesse Delanoy, Harry Fox, Sid Friedman, Don Giller, Marcy Gorman, Dottie Hardin, Kim Hill, Bob Pollokoff, Donna Reihl, Rick Spence, Debbie Tyrangiel, David Uhlfelder, Sandy Woods, Steve Zimmerman and David Zwald.

LETTER FROM KEVIN KAMANETZ TO STATE HIGHWAY ADMINISTRATION: Gary shared a letter from Kevin to David Malkowski of State Highway Administration regarding creating a turn lane onto westbound Sudbrook Lane from Reisterstown Road. Kevin stated that "SHA take into consideration County Public Works official Ray Heil's concern that a "speedup of traffic is counterproductive to a town center feel". Perhaps some additional compromise or consideration can be built into such a design while still accomplishing the purpose of elimination of traffic congestion."

MASTER PLAN: Nancy, Gary, Libby, Sid, David and Gabe met with David Pinning, of the Baltimore County Office of Planning, and Kevin Kamanetz to discuss recommendations on behalf of Pikesville regarding concerns for our business district. CRAG has made several recommendations that concern all revitalization areas. Pikesville recommended that we consider possibly indenting curbs while retaining meters in order that people may park as well as flow through heavily trafficked areas on Reisterstown Road. It is unlikely that we can redo the previous streetscapped area, but if we can, we would like to make some of the large sidewalks more narrow to accommodate on-street parking. Additionally, we requested assistance with the liquor board who has a political grip on doling out licenses. Kevin was frank in stating that this system will not be bucked. Issues regarding condemnation and consolidation were also discussed. Hopefully, all of our suggestions will appear in the Master Plan 2010.

FLOORS, ETC. VARIANCE: Floors, Etc. is asking for a parking variance. Board members were unanimously in favor of sending a letter to the zoning board in support of their request. It is too early to write the letter but we will do so at the appropriate time. } *

LIQUOR LICENSE BILL RENEWAL: Gabe, Nancy and David Uhlfelder will testify in Annapolis on Feb. 25th requesting an extension of our town center liquor license which allows liquor licenses to be transferred into our town center. This is a bill that Senator Paula Hollinger helped us obtain and it is now up for renewal.

Congregation, Chizuk Amuno Congregation, JVS, and the Pikesville Senior Center.

NEW BUSINESSES: Gary announced that there will be a coffee cafe similar to Starbuck's in the Lil' Rascal spot. No one knows when they will open. DiPasquale is renovating and, hopefully, will be open for business in late May or early June.

DIRISIO LANE: Adele states that the road will begin to be constructed within 120 days from today.

COMMUNITY RECOGNITION: The date for our community recognition event will be on Tuesday, May 11th, 7:30 a.m. to 9:30 a.m. at North Oaks Retirement Community. Gail and Eileen will work with Nancy. Libby has suggested the following: have a TV personality such as Denise Koch or Bob Turk speak about community, give the awards and invite new members.

DONATION TO PIKESVILLE HIGH SCHOOL FOR PROM PARTY: The board approved the donation of \$50.00 to PHS for their prom party - a good cause.

NEW MEMBER: We welcome Dr. John Parkerson, occupational health physician located in Pomona.

CONCERTS: Patuxent Publishing contacted us and would like to be a media sponsor for our 2 concerts during the summer.

BOARD MEMBER RESIGNATION: Libby has resigned from the board...a wonderful board member and past president who will be sorely missed.

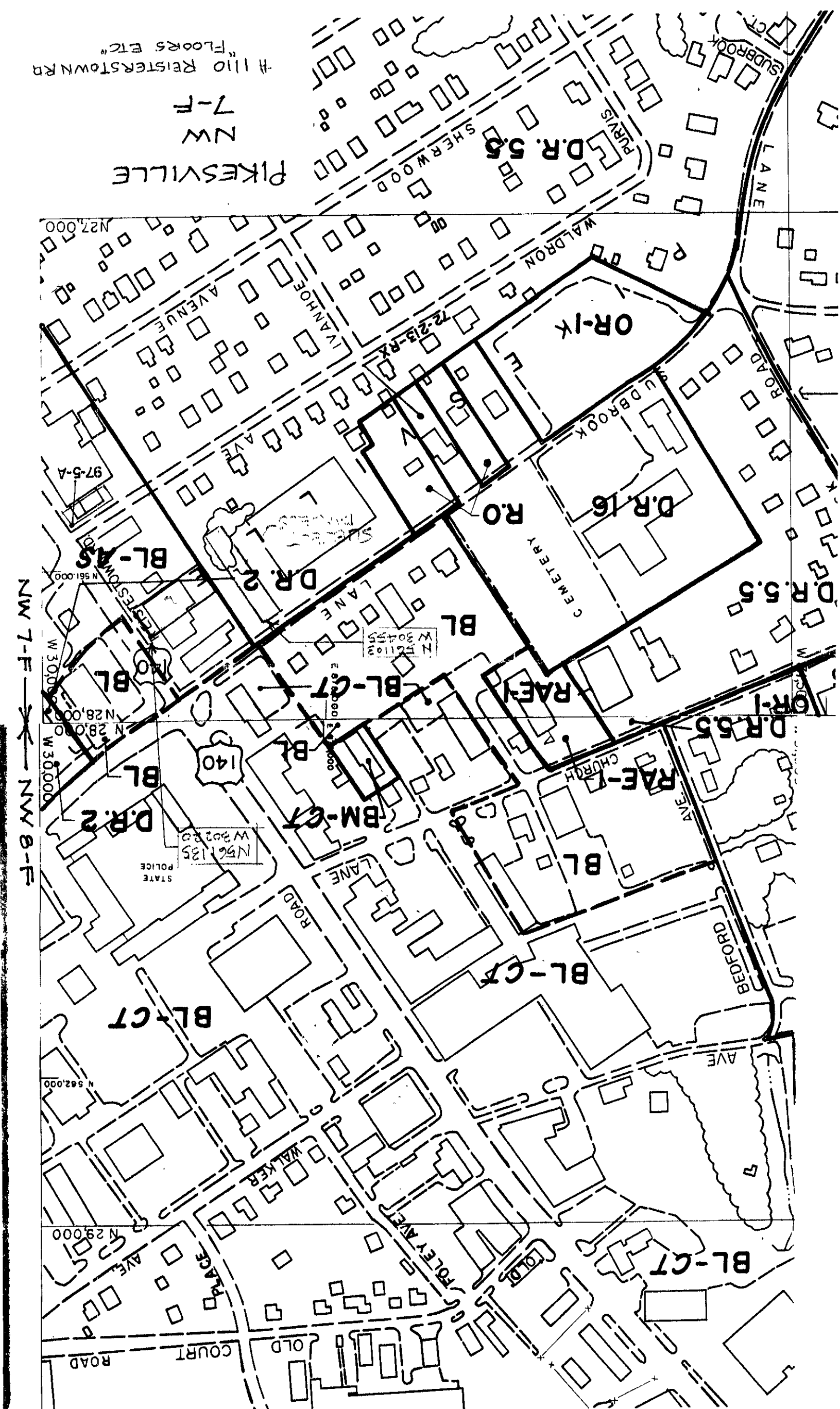
MARYLAND STATE POLICE CRIME LAB: The Maryland State Police will be sponsoring a meeting on Thursday, Feb. 18th from 7 to 8 p.m. at the Pikesville Library regarding constructing a new crime lab at the property known as 6 Slade Avenue. Several board members have been asked to attend. There definitely will be opposition/concern from condo dwellers on Slade Avenue, however, the land is presently unused and the building will be fairly benign in appearance.

NEXT BOARD MEETING WILL BE COMBINED WITH THE BREAKFAST MEETING ON MARCH 16TH AT GARY'S.

Respectfully Submitted:

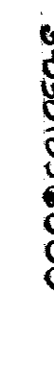
Chas Ezrine
Chas Ezrine
Secretary

50



CHD. N 33° 14' 39" W 89

LANE



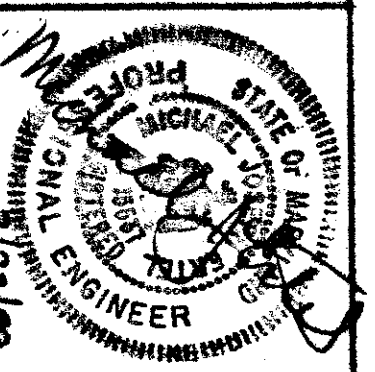
SIGN DETAIL

OWNER/APPLICANT
GRSG, L.L.C.
c/o STANLEY GINSBURG
FLOORS ETC.
1110 REISTERS TOWN RD
PIKESVILLE MD. 21208
(410) 464-4123

1. PROPERTY - TAX MAP 78, GRID 5, PARCELS 102, 127D5
TRACT AREA 0.41 ACRES
2. ZONING OF TRACT DR-9.5 (0.12 AC) ±
3. EXISTING USE " FLOORS ETC., CARPET STORE"
ONE STORY BUILDING 60 X 87 = 5,220 SQ. FT.
4. PROPOSED DEVELOPMENT - "ONE STORY ADDITION"
60' X 26' 1/2" INZELLING LEVEL = 2,523 SQ. FT. TOTAL
ADDITION = 920 + 2,523 = 3,443 SQ. FT. - 5,220 SQ. FT. = 1,773 SQ. FT. - 1,773 SQ. FT. = 0.05 ACRES
5. FLOOR AREA RATIO = 0.65
6. PARKING CALCULATIONS
PARKING REQUIRED - CARPET STORE
2.5 RS / 1000 SQ. FT.
(11.43) / 1000 X 2.5
= 29 P.S. REQUIRED
7. PROPERTY BOUNDARY AND PLAT INFORMATION WAS OBTAINED FROM AVAILABLE INFORMATION AND DOES NOT REPRESENT A BOUNDARY OR TOPOGRAPHIC SURVEY.

VARIANCE FROM SECTION 400.03(A) OF THE BOARD TO ALLOW 20 PARKING SPACES IN LIEU OF THE 28 PARKING SPACES REQUIRED BY SECTION 232.1 AND THE POLICY MANUAL TO PROVIDE A 15% SETBACK FROM THE RIGHT OF WAY TO DENISE LANE IN LIEU OF THE 20 REQUIRED, and a drive end walk of 14' in lieu of 28 feet.

PLAN PREPARED BY:
M.J. CONSULTING
5317 EAST GLEN ROAD
ELICOTT CITY, MD. 21043
(410) 465-9579



PLAT TO ACCOMPANY PETITION FOR
~~SPECIAL HEARING~~ & VARIANCE

COUNCILMANIC DISTRICT 2
ELECTION DISTRICT 3
SCALE: 1"=20'
BALTIMORE COUNTY, MD.
MARCH 22, 1999

99-509-A